

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:16-cr-77
v.)	
)	Judge Travis R. McDonough
CORRIE GILLISPIE)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 256), recommending that the Court: (1) approve payment above the case compensation maximum for CJA counsel; and (2) approve interim payments to CJA counsel. Neither party filed a timely objection to the report and recommendation. For the reasons that follow, the Court will approve the magistrate judge's report and recommendation.

By way of background, Attorneys C. Eugene Shiles and Clayton Whittaker were appointed, one after the other, to represent Defendant Corrie Gillispie under the Criminal Justice Act, 18 U.S.C. § 3006A, and have now filed motions requesting attorney fees in excess of the case compensation maximum and requesting interim payments prior to the ultimate conclusion of the case. (*See* Docs. 253, 255.)

In his report and recommendation, Magistrate Judge Steger highlights the inherent complexity of this case, and, more significantly, that it involved representation of an uncooperative, obstructionist client who refused to work with his attorneys. (*See* Doc. 256.) As a result of Defendant's conduct, defense counsel encountered significant delays and a great deal of needless work. The magistrate judge determined that preparation of a defense on behalf of

Defendant required more time for pretrial proceedings than the typical case, making it “extended.” *See 7 Guide to Judiciary Policy*, Chapter 2, § 230.23.40(b).

The magistrate judge also noted that counsels’ representation of Defendant impacted their respective law practices—the amount of time spent on this case detracted from time spent on the cases of their other clients. Thus, the report and recommendation concludes that this case qualifies as “extended” and that excess and interim payments are necessary to provide fair compensation.

The Court also notes that both attorneys have provided very high-quality, professional legal representation to Defendant, despite his actions.

Because the Court agrees with the magistrate judge’s findings, it hereby **ACCEPTS** and **ADOPTS** the report and recommendation. This Order adopting the report and recommendation, along with a copy of the report and recommendation and a Memorandum Concerning Excess and Interim Payments, approved by the undersigned, shall be forwarded to the United States Court of Appeals for the Sixth Circuit, to the attention of the Chief Judge of the Circuit or the Chief Judge’s designee.

SO ORDERED.

/s/Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE